

THE HON'BLE SRI JUSTICE V.V.S.RAO

-
WRIT PETITION No.3337 of 2007

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Dated:22.02.2007

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Between:

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R.Bharath Singh

...Petitioner

and

The Mandal Revenue Officer and another.

...Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

-
WRIT PETITION No.3337 of 2007

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ORDER:

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This Writ Petition is filed challenging the order of the first respondent dated 10.10.1998, whereunder the name of the petitioner's father, R.Devi Singh, was deleted from the revenue records.

The petitioner alleges that he is the son of Devi Singh, who purchased the land admeasuring Acs.10.00 in Survey No.66/AA and Acs.2.00 in Survey No.668/AA from the original inamdar by name M.Krishna Reddy. It is also alleged that Devi Singh obtained Occupancy Rights Certificate (ORC) under the provisions of the Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955 (for short 'the Act'), vide proceedings dated 23.04.1987. However, the Mandal Revenue Officer deleted the name of Devi Singh from the record of rights. It is further alleged that when some persons were interfering with the land, Devi Singh filed O.S.No.29 of 1997 on the file of the Court of the learned Subordinate Judge, Mahabubnagar, and obtained injunction. After the death of the father (plaintiff in O.S.No.29 of 1997) when some of the persons were constructing houses on the land, the petitioner filed a complaint before the District Panchayat Officer, who was in charge of the post of Chief Executive Officer, Zilla Praja Parishad. In that case, those persons, against whom the complaint was made, filed a counter bringing to light the proceedings

of the Mandal Revenue Officer cancelling the entries in favour of Devi Singh. Therefore, the present Writ Petition is filed.

The petitioner alleges that his father obtained ORC under the Act way back in 1987. His father also filed a suit in 1997, and therefore, it is rather understandable as to why he was not aware of the proceedings taken by the first respondent. A perusal of the impugned order would show that the first respondent issued the said proceedings in obedience to the instructions issued by the District Collector vide Endorsement No.423/98, dated 26.06.1998, and that the Mandal Revenue Officer verified the registered sale deed dated 15.11.1996 by which M/s.Sai Krishna Enterprises, Amangal, purchased the property from Sri Siddanti Kodanda Ramaiah, who purchased from Devi Singh. This only shows that Devi Singh sold the property much prior to the issue of the proceedings by the Mandal Revenue Officer. Be that as it is, the present Writ Petition is filed after lapse of about ten years, that too, without making those persons who purchased the property as parties to this Writ Petition. Therefore, this Court is not inclined to interfere in the matter. Secondly, against the order passed by the first respondent there is a right of appeal before the second respondent.

The Writ Petition is accordingly dismissed. No costs.

(V.V.S.RAO, J)

22.02.2007

vs